

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *Jf* D.C.

05 OCT 25 PM 1:53

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE

JOHN HAYES,

Plaintiff,

v.

ST. JUDE MEDICAL, INC., ST. JUDE
MEDICAL S.C., INC., ST. JUDE MEDICAL,
ATG, INC., ROBERT PATRICK LENAHAAN,
JR., LOUIS BONILLA, M.D., STACY
SANFORD, and METHODIST
HEALTHCARE MEMPHIS HOSPITALS,

Defendants.

No.: 05-2688-JPM-sta

AGREED ORDER STAYING CASE

The parties, by and through their respective counsel, have requested that the Court stay the proceedings in this action, having stipulated and agreed as follows:

The parties have been involved in extensive settlement negotiations and have been diligently pursuing non-judicial resolution of this case. Presently, the parties have reached an agreement in principle to resolve this matter in its entirety.

Because they are close to reaching a mutually agreeable resolution of this matter, the parties do not believe that further judicial proceedings are currently necessary, and wish to conserve the time and resources of this Court.

The parties agree that the most efficient case management plan would be to stay these proceedings for thirty days to afford sufficient time to draft and execute settlement agreements.

5

Based upon the facts set forth above and desiring to make efficient use of judicial resources, the parties hereby stipulate as follows:

That this action be stayed for thirty days from the date this Order is entered pending resolution of this matter;

That all dates on which responsive pleadings are due, dates on which responses to pending motions are due, all discovery dates, all status conference dates, and all other hearing dates previously set are extended for thirty days;

That when a final settlement is reached, the parties will notify this Court immediately and request a stipulated dismissal of this action with prejudice;

That if the parties are unable to resolve this matter within the thirty-day stay period, they will promptly notify the Court; and

That signatures to this Stipulation transmitted by facsimile shall have the same force and effect as original signatures.

Having considered the above-stated recitals, and good cause appearing:

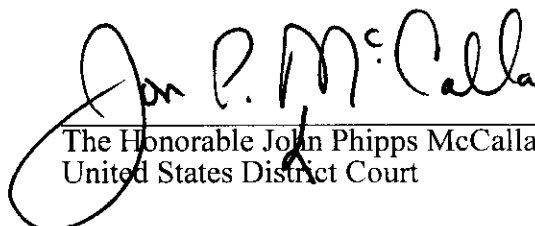
IT IS ORDERED that this action is STAYED for thirty days to afford sufficient time to conclude settlement negotiations and to effect the anticipated settlement.

IT IS FURTHER ORDERED that all dates on which responsive pleadings are due, dates on which responses to pending motions are due, all discovery dates, all status conference dates, and all other hearing dates previously set are extended for thirty days.


IT IS SO ORDERED.

Dated:

Oct. 25, 2005



The Honorable John Phipps McCalla
United States District Court

AGREED:

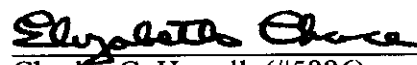

Paul Berry Cooper (#13196)
DEAL COOPER HOLTON, PLLC
296 Washington Avenue
Memphis, TN 38103
T: (901) 523-2222
F: (817) 332-9301

by D Shy
w/ permission
9/29/05

Counsel for Plaintiffs


DeWitt M. Shy, Jr. (#5163)
Mary A. Hale (#21878)
BURCH, PORTER & JOHNSON, PLLC
130 North Court Avenue
Memphis, Tennessee 38103
T: (901) 524-5000
F: (901) 524-5024

Counsel for St. Jude Medical, Inc., St. Jude Medical S.C., Inc.,
St. Jude Medical ATG, Inc., Robert P. Lenahan, Jr.,
Luis Bonilla, M.D. and Stacy Sanford


Charles C. Harrell (#5886)
Elizabeth E. Chance (#13781)
BUTLER, SNOW, O'MARA, STEVENS & CANNADA PLLC
Crescent Center, Suite 500
6075 Poplar Avenue
Memphis, Tennessee 38119
T: (901) 680-7200
F: (901) 680-7201

by D Shy
w/ permission
9/29/05

Counsel for Methodist Healthcare Memphis Hospitals



Notice of Distribution

This notice confirms a copy of the document docketed as number 5 in case 2:05-CV-02688 was distributed by fax, mail, or direct printing on October 25, 2005 to the parties listed.

Jimmy Moore
CIRCUIT COURT, 30TH JUDICIAL DISTRICT
140 Adams Ave.
Rm. 224
Memphis, TN 38103

DeWitt M. Shy
BURCH PORTER & JOHNSON
130 N. Court Avenue
Memphis, TN 38103

Charles C. Harrell
BUTLER SNOW O'MARA STEVENS & CANADA, PLLC
6075 Poplar Ave.
Ste. 500
Memphis, TN 38119

Mary Alison Hale
BURCH PORTER & JOHNSON PLLC
130 N. Court Ave.
Memphis, TN 38103

Berry Cooper
DEAL COOPER & HOLTON PLLC
296 Washington Avenue
Memphis, TN 38103

Elizabeth E. Chance
BUTLER SNOW O'MARA STEVENS & CANADA, PLLC
6075 Poplar Ave.
Ste. 500
Memphis, TN 38119

Honorable Jon McCalla
US DISTRICT COURT